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April 19, 2013

**VIA ECF**

Judge Margo K. Brodie  
United States District Court  
Eastern District of New York  
100 Federal Plaza  
Central Islip, New York 11722

Re: *Martire v. County of Nassau, et al*  
09-CV-4426 (MKB) (GRB)

Dear Judge Brodie:

This Office represents the County Defendants in the above-referenced matter. We write at this time pursuant to the Electronic Order dated April 15, 2013 to advise the Court of the status of the officers in this matter. As the Court was previously advised, Sgt. Ianucci has a young son who suffers from a serious medical condition. I have been informed by Officer Ianucci that his son's next surgery will take place at the end of May in Baltimore. His son is expected to remain in the hospital for approximately three weeks for recovery.

I have also spoken with Sergeant Benedetto who has advised our office that he is currently scheduled to be out of the office on vacation from July 13, 2013 through August 4, 2013 and then again August 12, 2013 through August 28, 2013.

In addition, the undersigned is currently scheduled to be on trial before Judge Leonard Wexler in the matter of *Davis v. County of Nassau, 11-CV-0076 (LDW)(ARL)* beginning on June 24, 2013. It is anticipated that the trial in this matter will last two weeks. As a result, our office will be preparing for the trial of this matter during the month of May.

I have left a voicemail message for Retired Police Officer Raymond to determine the status of his medical condition and as of the writing of this correspondence have not yet heard from him.

As a result, our office is requesting that we be given until April 26, 2013 to supplement this letter with

further information.

Respectfully submitted,  
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/dcp/\_\_\_\_\_

Diane C. Petillo  
Deputy County Attorney

cc: Law Offices of Frederick K. Brewington, Via ECF